

Appl. No. : 10/619,938
Filed : July 15,2003

REMARKS

Claims 1-30 and 36-47 are pending. Claims 31-35 and 48-50 have been canceled. Claims 51-53 have been added.

The Examiner objected to the drawings because the reference number 20 referred to different elements of an interactive online research system and because reference number 305 was not mentioned in the written description. The Examiner objected to Claims 5, 37-42, and 44-46 on formal grounds. The Examiner rejected Claims 22, 24-29, 35, 45, and 46 as allegedly being indefinite for lack of antecedent basis. The Examiner rejected Claims 1-50 as allegedly being anticipated and/or rendered obvious by one or more of the following references: United States Patent No. 6,571,236 to Ruppelt, United States Patent No. 5,884,302 to Ho, United States Patent Application Publication No. 2003/0050929 to Bookman et al., United States Patent No. 6,539,392 to Rebane, United States Patent No. 6,941,323 to Galperin, United States Patent No. 6,647,383 to August et al., United States Patent No. 6,781,608 to Crawford, and United States Patent No. 6,178,420 to Sassano.

Applicants have amended certain drawings and claims. Applicants also traverse the rejections by the arguments set forth below. Applicants submit that they have overcome each of the objections and rejections in view of the amendments and arguments set forth herein. Accordingly, Applicants request that the Examiner allow the pending claims.

Objections to Drawings

Applicants have amended the drawings to comply with 37 C.F.R. 1.84 by submitting herewith two replacement sheets. Applicants have also amended the specification to reflect the changes to the drawings.

Formal Objections to Claims

Applicants have amended the claims to correct the informalities cited by the Examiner.

Rejections Based on Lack of Antecedent Basis

Applicants have amended the claims to provide antecedent basis in cases where antecedent basis was lacking. For Claim 22, antecedent basis for "the first value" is found in Claim 20 and antecedent basis for "the second value" is found in Claim 21. For Claim 24, "the appeal" refers to the language "appeal of the user as to the question" of Claim 21. For Claim 24 and 25, antecedent basis for "the user" is found in Claim 1 as amended. For Claim 26, the

alleged lack of antecedent basis for the phrase “the presented online set” is moot because Applicants have amended the claim to replace the phrase with “displayed information.” For Claim 35, the alleged lack of antecedent basis is moot because Applicants have canceled Claim 35. For Claim 45, the alleged lack of antecedent basis for the phrase “the keyword auction provider” is moot because Applicants have amended the claim to replace the phrase with “a keyword auction provider.”

Rejections Based on Alleged Anticipation by the Ruppelt Patent

The Examiner rejected Claims 1, 2, 4, 5, 10-12, 17, 18, 30-33, 35-37, 40, 42-44, and 47-50 as allegedly anticipated by the Ruppelt patent. Applicants traverse the rejections.

The Ruppelt patent teaches a system that searches a Solution DB 107 (See Fig. 1) in order to provide information for diagnosing and fixing problems. As described in the patent, the Ruppelt system can provide customer service, such as helping consumers diagnose and fix broken dishwashers and other consumer goods. After a user identifies a general problem, the Ruppelt system invokes a “case based reasoning tool,” which asks one or more questions to “more narrowly define the scope of the problem.” Then, “[o]nce the case based questions are answered, the processing circuit 104 presents an applicable solution recommendation.”

The Ruppelt system, however, is limited to searching a local database. As shown in Fig. 1, the Ruppelt system searches a Solution DB 107, centrally located on a Problem Diagnosis Tool 102. Accordingly, far from a tool for searching multiple online sites, the Ruppelt patent teaches an expert system that searches a centralized database. Based on this and other distinctions, independent Claims 1, 36, and 47, and the claims that depend from them, are patentable over the Ruppelt patent.

Claim 1 describes a method for “generating a query of online sites.” As further stated in the claim language, “at least some of the plurality of online sites are located remotely from a site providing the questions.” Such features are neither taught nor made obvious by Ruppelt, which is directed to an expert system that searches a local database of solutions. Further, amended Claim 1 includes other limitations that are neither taught nor made obvious by the Ruppelt patent. Accordingly, Claim 1 is allowable over the Ruppelt patent.

Claim 36 describes a system that targets content located at online sites to a user based on the user’s preferences. In particular, the claimed system “present[s] to a user, *without user*

initiation, one or more preliminary questions.” In contrast, the Ruppelt system is a customer service database that returns results only when the user initiates a query. Accordingly, Claim 46 is allowable over the Ruppelt patent.

The invention of **Claim 47** provides a powerful tool for providing targeted advertisements to a user based on the user’s responses to survey questions. Advantageously, the claimed method can adapt which preliminary survey questions to ask based on the user’s previous responses. Thus, with each round of questions, the method of Claim 47 finds out more information about the user’s preferences, thus allowing for more accurate targeting of advertisements. The Ruppelt system, limited to searching a local database for solutions to consumer problems, is not capable of providing such a powerful tool for targeting advertisements. Further, whereas the Ruppelt system responds to user-initiated queries, the system of Claim 47 “present[s] one or more preliminary survey questions to a user, *without user initiation*.” Accordingly, Claim 47 is allowable over the Ruppelt patent.

Dependent Claims 2-30 and 37-46 each depend from Claim 1 or Claim 36 and thus incorporate the limitations of Claim 1 or 36. Accordingly, for the reasons stated above with respect to Claims 1 and 36, dependent Claims 2-30 and 37-46 are also patentable over the Ruppelt patent. In addition, dependent Claims 2-30 and 37-46 may be independently patentable based on their added limitations.

Response to Obviousness Rejections

The Examiner rejected Claims 3, 6, 7-9, 13-16, 19-29, 34, 38, 39, 41, 45, and 46 (the “rejected claims”) as allegedly being obvious in view of Ruppelt combined with one or more other references. Specifically, the Examiner rejected Claims 3, 6, 7, 13, and 19 in view of Ruppelt and Ho. The Examiner rejected Claims 14, 15, 20, 39, 41, 45, and 46 in view of Ruppelt, Ho, and Bookman. The Examiner rejected Claim 21 in view of Ruppelt, Ho, and Rebane. The Examiner rejected Claims 22 and 23 in view of Ruppelt, Ho, Rebane, and Galperin. The Examiner rejected Claims 8, 9, 16, 24-26, and 29 in view of Ruppelt, Ho, and August. The Examiner rejected Claims 27 and 28 in view of Ruppelt, Ho, August, and Crawford. The Examiner rejected Claim 34 in view of Ruppelt and Using HTML 3.2. The Examiner rejected Claims 38 in view of Ruppelt and Sassano.

Appl. No. : 10/619,938
Filed : July 15,2003

To sustain an obviousness rejection, the Examiner must show that: (1) the combined references collectively teach every limitation of the rejected claim, (2) a suggestion or motivation to combine the references is found in the prior art or in the knowledge of a person of ordinary skill in the art, and (3) there was a reasonable expectation of success. Here, Applicants traverse the obviousness rejections on the basis that the cited combinations do not collectively teach every limitation of the rejected claims. Applicants do not concede that a suggestion or motivation to combine the references exists or that there was a reasonable expectation of success. Thus, if the Examiner renews any obviousness rejection, Applicants reserve the right to argue that no suggestion or motivation existed, that there was not reasonable expectation of success, or both.

Significantly, each of the Examiner's obviousness rejections relies on Ruppelt as a primary reference. Specifically, the rejections rely on the Examiner's assertion that Ruppelt teaches at least the limitations of the independent claims from which the rejected claims depend. As shown above, however, Ruppelt does not teach every limitation of the independent claims as amended. Accordingly, since the rejected claims each depend from and incorporate the limitations of one of the independent claims, Ruppelt does not teach every limitation of the rejected claims. Applicants submit that the rejected claims are allowable over Ruppelt and the other prior art of record.

New Claims

Applicants have added new Claims 51-53. Applicants submit that the prior art of record neither teaches nor makes obvious every limitation of any of Claims 51-53.

Conclusion

In light of the foregoing, Applicants submit that all pending Claims are allowable over the prior art of record and respectfully request such allowance.

If any issues remain, Applicants request that the Examiner call Applicants' undersigned attorney at his direct line of (949) 721-2897.

Appl. No. : 10/619,938
Filed : July 15,2003

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 11/7/2006

By: Ted M Cannon
Ted M. Cannon
Registration No. 55,036
Attorney of Record
Customer No. 20,995
(949) 760-0404

2673809:///dfl
061506